

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF OKLAHOMA **FILED**

ALAN NOWLIN, )  
Petitioner, )  
v. )  
GREG PROVENCE, Warden, )  
Respondent. )

OCT 23 2008  
William B. Guthrie  
Clerk, U.S. District Court  
By \_\_\_\_\_ Deputy Clerk  
No. CIV 04-228-Raw

**ORDER GRANTING LEAVE TO PROCEED IN FORMA PAUPERIS**

Petitioner, a prisoner seeking to commence an appeal to the Tenth Circuit Court of Appeals, has filed a motion for leave to proceed *in forma pauperis* and supporting statement of institutional accounts. Having reviewed the motion, the Court finds petitioner lacks sufficient funds to prepay the filing fee pursuant to Local Rule 3.5(b). Petitioner's motion, therefore, is granted, and petitioner is authorized to proceed without prepayment of the filing fee.

IT IS SO ORDERED this 23<sup>rd</sup> day of October 2008.

  
**RONALD A. WHITE**  
**UNITED STATES DISTRICT JUDGE**